



ENTERED
03/23/2021

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

VENTECH ENGINEERS, L.P. *et al.*,¹

Debtors.

Chapter 7

Jointly Administered

Case No. 17-33203 (DRJ)

**STIPULATION AND ORDER REGARDING TRUSTEE'S APPLICATION TO
EMPLOY PARKINS LEE & RUBIO LLP AS HIS GENERAL COUNSEL AND
(TERMINATE EMPLOYMENT OF DIAMOND MCCARTHY LLP AS HIS
GENERAL COUNSEL
(Docket No. 167)**

TO THE HONORABLE DAVID R. JONES, UNITED STATES BANKRUPTCY JUDGE:

This stipulation and order (the "Stipulation and Order") is made by and among Rodney D. Tow, as chapter 7 trustee for the above-referenced debtors' estates (the "Trustee"), Parkins Lee & Rubio LLP ("PLR") and Diamond McCarthy LLP ("DM") and collectively with the Trustee and PLR, the "Parties").

1. On May 26, 2017 ("Petition Date"), the Debtors filed voluntary petitions for relief under chapter 7 of the Bankruptcy Code thereby commencing the bankruptcy cases.

2. On June 22, 2017, the Trustee filed its Application to Employ Diamond McCarthy LLP as General Counsel on June 22, 2017 [ECF 17] (the "DM General Counsel Application"). On

¹ The names of the Debtors in these chapter 7 cases, along with the last four digits of each Debtors' federal tax identification number, are: Ventech Engineers L.P. (0943); Ventech Engineers LLC (7644); Ventech Fabrication Services LLC (6482); Ventech Engineers International LLC (5030); Ventech Energy LLC (1829); Ventech Engineers North America LLC (7325); Ventech Engineers USA LLC (7499); Ventech Vessel Fabricators LLC (6525); Ventech Global Projects, Inc. (9146); Ventech International Projects LLC (2187); Ventech Global Construction, LLC (0736); Ventech Modular Fabricators LLC (2960); Ventech Refining Solutions LLC (6454); Ventech Plant Constructors LLC (5107); Ventech Engineers & Fabricators, LLC (2106); Ventech Industrial Contractors, LLC (6482); Ventech XTL LLC (2500); and Ventech XTL Oklahoma City LLC (5549).

August 9, 2017, the Court entered its order granting the DM General Counsel Application [ECF 25], effective as of May 30, 2017.

3. On May 10, 2018, Rodney D. Tow (the “Trustee”) filed his Application To Employ Diamond McCarthy LLP as Special Litigation Counsel at [ECF 81] (the “Special Counsel Engagement”).

4. On June 6, 2018, this special counsel role was approved by the Court pursuant to a separate order at [ECF 88]. Pursuant to the Special Counsel Engagement, Diamond McCarthy LLP is representing the Trustee in various litigation matters on a contingency fee basis.

5. On August 31, 2020, an application was filed to replace DM with PLR as the Trustee’s general bankruptcy counsel at [ECF 162]. The Trustee intends to leave Diamond McCarthy LLP as his special counsel according to the Special Counsel Engagement.

6. The Order entered approving the retention of Parkins Lee & Rubio LLP at [ECF 166] resulted in Diamond McCarthy LLP being removed as counsel from all the adversary proceedings associated with the above-referenced bankruptcy cases.

7. The Parties hereby stipulate and agree that the Special Counsel Retention of Diamond McCarthy at [ECF 88] is still in force and effect and the Order approving the retention of Parkins Lee & Rubio LLP as general bankruptcy counsel only applies to the general counsel retention of Diamond McCarthy at [ECF 25].

SO ORDERED:

Signed: March 22, 2021.



DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

IN WITNESS WHEREOF and in agreement herewith the Parties have executed and delivered this Stipulation and Order as of October 1, 2020.

Respectfully submitted,

RODNEY D. TOW, CHAPTER 7 TRUSTEE
FOR VENTECH ENGINEERS, L.P. et al.

/s/ Rodney D. Tow

Rodney D. Tow
1122 Highborne Cay Court
Texas City, TX 77590-1403
281-429-8300

PARKINS LEE & RUBIO LLP

/s/ Charles M. Rubio

Charles M. Rubio P.C.
Pennzoil Place
700 Milam, Suite 1300
Houston, Texas 77002
Phone: 212-763-3331
Email: crubio@parkinslee.com

DIAMOND MCCARTHY LLP

/s/ Steve Loden

Steve Loden
sloden@diamondmccarthy.com
Brian Raymond Hogue
Brian.Hogue@diamondmccarthy.com
909 Fannin, Suite 3700
Houston, Texas 77010
Telephone: (713) 333-5100